



US Army Corps
of Engineers
Memphis District

Public Notice

REPLY TO ATTN: Randy Clark
U.S. Army Corps of Engineers
167 North Main Street, Room B-202
Memphis, Tennessee 38103-1894
Telephone: (901) 544-0735
Fax: (901) 544-0211
Email: James R. Clark@usace.army.mil
POSTMASTER PLEASE POST UNTIL:

PUBLIC NOTICE NO:
MVM-2007-361(RC)

PUBLIC NOTICE DATE:
July 16, 2007

EXPIRATION DATE:
August 15, 2007

Public Notice

AUTHORITY: Pursuant to 33 CFR 325, as published in the Federal Register dated November 13, 1986, this notice announces an application submitted for a Department of the Army permit under Section 404 of the Clean Water Act.

APPLICANT: Frankie Pittman
P. O. Box 248
Somerville, TN 38068
901-487-7393

LOCATION: The proposed project is located just south of Interstate 40 at Exit 52 and ¾ miles east on Highway 76 in Haywood County, Tennessee (see attached map). The project area is within the Hatchie River drainage area on the Dancyville, Tennessee, USGS topographic quadrangles at approximate latitude 35.48809 and longitude 89.26984.

PURPOSE: The purpose of the project is to bring the land back in agricultural production and to improve wildlife habitat.

DESCRIPTION OF WORK: The proposed project area is divided into four areas designated as Section A, B, C, and D. Approximately two acres of the eastern boundary of Section A and two acres of the western boundary of Section B were mechanically cleared of black willow and buttonbush in the summer of 2005. This section of the project was required to naturally revegetate over the past two years (see attached map) as a restoration effort. As a result of this project, these four acres of wooded wetlands will be lost during the agricultural conversion activity, requiring mitigation. The remaining portion of Section B has over the years developed into a marsh habitat complex, characterized by cattails, and water primrose, due to blocked drains from beaver activity. At present, these drains are open and the wetland hydrology has been removed from the site. This section will be put back in cultivation. Section C, consists of an open water lake. Bank stabilization of approximately 200 feet will be conducted on the eastern bank to protect the shoreline from wave wash and will be authorized by Nationwide 13. Section D contains four borrow pits. These borrow pits will be filled and converted back to agriculture. Each borrow pit, based on the applicants measurements, are approximately 75 feet long and 50 feet wide with a connecting canal of 300 feet long and 25 feet wide. Total wetlands impacted by filling these borrow pits will be 0.50 acres. Wetland plant species associated with the borrow pits include buttonbush, black willow, sycamore, green ash, and American elm.

Total wetland impacts are approximately 4.50 acres. Wetland impacts will be mitigated by planting 9.0 acres of bottomland hardwoods on prior converted cropland within the watershed of the Hatchie River in accordance with a required mitigation plan.

WATER QUALITY CERTIFICATION: By copy of this public notice, the applicant is requesting water quality certification from the Department of Environmental Protection, Division of Water that the activity will comply with applicable requirements set forth in 33 U.S.C. and 1341(a)(1) of the Clean Water Act and all State laws and regulations promulgated pursuant thereto. This certification or evidence of this water quality certification or waiver of the right to certify must be submitted prior to the issuance of a Corps of Engineers permit. The Corps of Engineers' evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act.

ENDANGERED SPECIES: No endangered or threatened species, or their critical habitat, are known to exist in the project area. However, this application is being coordinated with the U.S. Fish and Wildlife Service. Any comments they may have regarding endangered or threatened wildlife or plants, or their critical habitat, will be considered in our evaluation of the described work.

CULTURAL RESOURCES: The Memphis District will evaluate information provided by the State Historic Preservation Officer, Federally-recognized Tribes, and the public in response to this public notice and we may conduct or require a survey of the project area.

FLOOD PLAIN: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed public notice and apprise this office of any flood plain development permit requirements.

PUBLIC INTEREST REVIEW: The purpose of this public notice is to advise all interested parties of the activities for which a permit is sought and to solicit comments and information necessary to evaluate the probable impact on the public interest.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Federally recognized Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reason for holding a public hearing. The District Engineer will determine if the issues raised are substantial and whether a hearing is needed for making a decision.

COMMENTS OR REQUEST FOR ADDITIONAL INFORMATION: If you wish to obtain additional information or to submit comments on the application, please contact Randy Clark at the U.S. Army Corps of Engineers, 167 North Main Street, Room B-202, Memphis, Tennessee 38103-1894, telephone (901) 544-0735. Copies of all comments, including the names and address of commenters, may be provided to the applicant for consideration and response prior to a decision by the Corps.

Comments should be received by August 15, 2007.

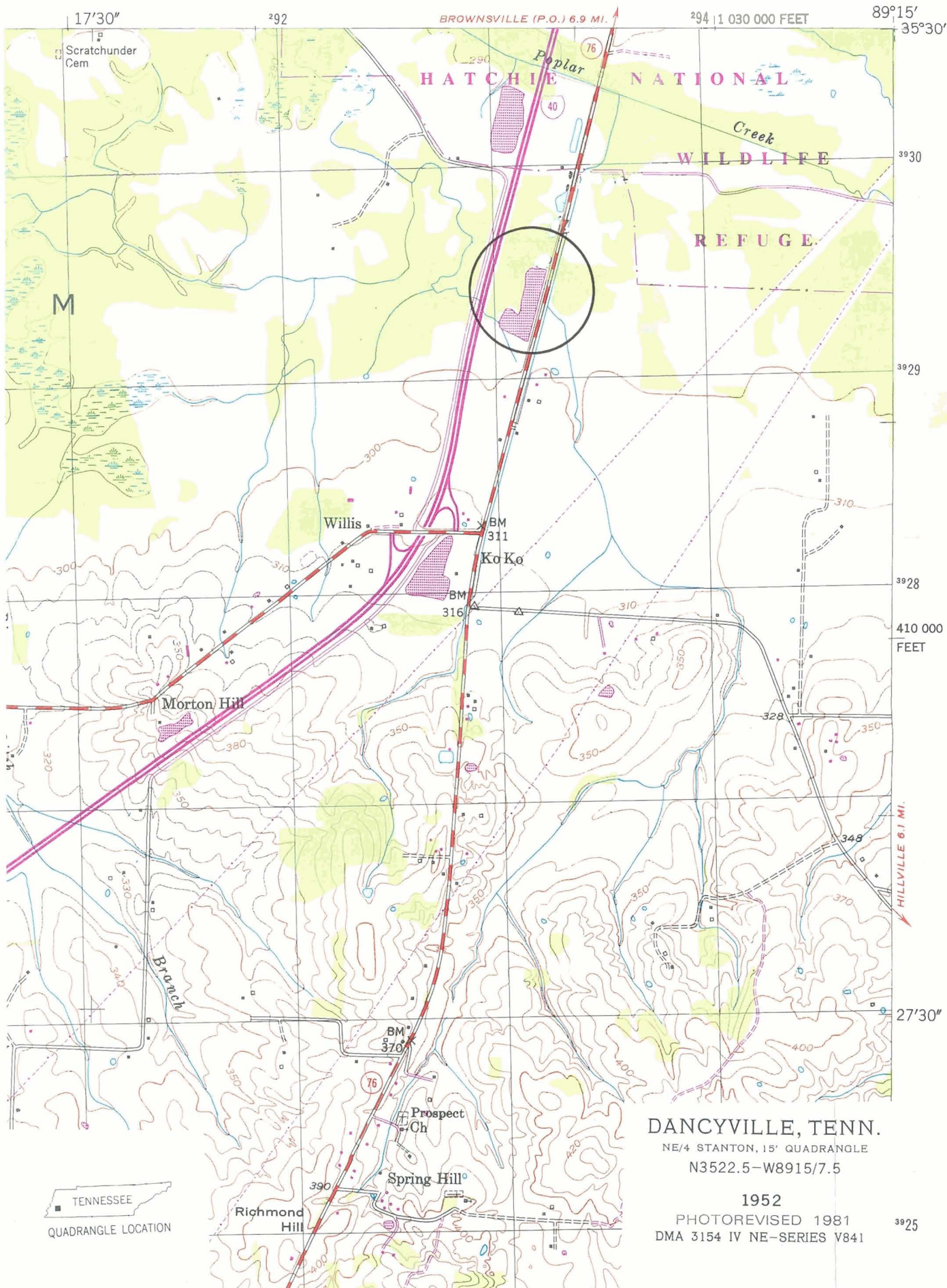


Larry D. Watson
Chief
Regulatory Branch

Attachments

DANCYVILLE QUADRANGLE
TENNESSEE
7.5 MINUTE SERIES (TOPOGRAPHIC)
NE/4 STANTON 15' QUADRANGLE

3188 II SW
(SUNNYHILL)



DANCYVILLE, TENN.
NE/4 STANTON, 15' QUADRANGLE
N3522.5-W8915/7.5

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